

PATENT

Attorney Docket No. P5578NONPRO

Client/Matter No. 80168.00126

**COMBINED DECLARATION AND POWER
OF ATTORNEY FOR PATENT APPLICATION**

DECLARATION:

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **EFFICIENT IMPLEMENTATION OF AN AUCTION PROXY BID ENGINE**, the specification of which is filed concurrently herewith.

The persons named as inventors in this application are Ying XIE; Elaine CHIEN; and Peter WILLIAMS.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

No prior foreign application for patent or inventor's certificate has been filed.


POWER OF ATTORNEY:

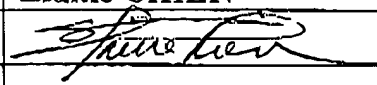
As named inventors, we hereby appoint Kenneth Olsen, Reg. No. 26,493, Timothy J. Crean, Reg. No. 37,116, Joseph T. FitzGerald, Reg. No. 33,881, Robert S. Hauser, Reg. No. 37,847, Alexander E. Silverman, Reg. No. 37,940, Christine S. Lam, Reg. No. 37,489, Anirima Rakshpal Gupta, Reg. No. 38,275, Sean P. Lewis, Reg. No. 42,798, Michael J. Schallop, Reg. No. 44,319, Bernice B. Chen, Reg. No. 42,403, Kenta Suzue, Reg. No. 45,145, Norcen A. Krall, Reg. No. 39,734, Richard J. Lutton, Jr., Reg. No. 39,756, Monica D. Lee, Reg. No. 40,696, Marc D. Foodman, Reg. No. 34,110, and Naren Chaganti, Reg. No. 44,602, Elaine K.K. Lee, Reg. No. 41,936, all of Sun Microsystems, Inc., and William J. Kubida, Reg. No. 29,664; Matthew T. Bailey, Reg. No. 33,829; Stuart T. Langley, Reg. No. 33,940; Carol W. Burton, Reg. No. 35,465; Steven Kent Barton, Reg. No. 36,445; E. Michael Byorick, Reg. No. 34,131; Matthew G. Dyor, Reg. No. 45,278; Steven C. Petersen, Reg. No. 36,238; Sarah S. O'Rourke, Reg. No. 41,226; James

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R. Laramie, Reg. No. 26,934; Stuart Lubitz, Reg. No. 20,680; Louis A. Mok, Reg. No. 22,585; John P. Scherlacher, Reg. No. 23,009; Alfred A. D'Andrea, Jr., Reg. No. 27,752; William H. Wright, Reg. No. 36,312; David Lubitz, Reg. No. 38,229; Wei-Ning Yang, Reg. No. 38,690; Ying Chen, under 37 C.F.R. § 10.9(b); J. Michael Thesz, Reg. No. 40, 354, Ajit J. Vaidya, Reg. No. 43,214, Kevin G. Shaw, Reg. 43,110; Naomi Abe Voegtli, Reg. No. 44,371; and Celine Crowson, Reg. No. 40,357, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Send all correspondence to: **Matthew T. Bailey**, HOGAN & HARTSON L.L.P., Columbia Square, 555 13th Street, N.W., Washington, D.C. 20007-1109, and direct telephone calls to **Matthew T. Bailey**, telephone number 202/467-5467.

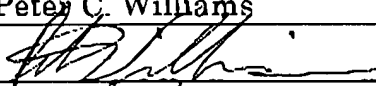
We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name:	Ying XIE
Inventor's Signature:	
Date:	11/15/2000
Residence: (City, State and/or country)	879 Salt Lake Drive San Jose, CA 95133
Citizenship:	P.R. China
Post Address Office:	Same as residence

Inventor's Full Name:	Elaine CHIEN
Inventor's Signature:	
Date:	11/15/00
Residence: (City, State and/or country)	4786 Cheency Street Santa Clara, CA 95054

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Citizenship:	U.S.A.
Post Address Office:	Same as residence

Inventor's Full Name:	Peter C. Williams
Inventor's Signature:	
Date:	11/15/00
Residence: (City, State and/or country)	107 Annie Lane Santa Cruz, CA 95062
Citizenship:	U.S.A.
Post Address Office:	Same as residence

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RECORDATION FORM COVER SHEET

OMB No. 0651-0011 (exp. 4/94)

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Ying Xie, Elaine Chein, and Peter Williams

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Sun Microsystems, Inc.

Street address: 901 San Antonio Road, MS PAL01-521, Palo Alto, California 94303

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____

Execution Date: _____

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.

B. Patent No.(s)

Attorney Docket No.: 80168-0126

Additional numbers attached? ☐ Yes ☒ No

5. Name and Address of party to whom correspondence concerning document should be mailed:

Name: Matthew T. BaileyInternal Address: Hogan & Hartson LLPStreet Address: Columbia Square555 Thirteenth Street, N.W.City: Washington State: D.C. Zip: 20004-1109

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41)\$ 40.00☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

50-1349

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*Matthew T. Bailey, Reg. No. 33,829

Name of Person signing

Signature

November 15, 2000

Date

Total number of pages including cover sheet, attachments and document: 3Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

PATENT
Attorney Docket No. P5578NONPRO
Client/Matter No. 80168.0126

ASSIGNMENT

WHEREAS, we, Ying XIE, having a residence address of 879 Salt Lake Drive, San Jose, CA 95133; Elaine CHIEN, having a residence address of 4786 Cheeney Street, Santa Clara, CA 95054; and Peter C. WILLIAMS, having a residence address of 107 Annic Lane, Santa Cruz, CA 95062, have made a certain new and useful invention relating to an EFFICIENT IMPLEMENTATION OF AN AUCTION PROXY BID ENGINE, for which we are making or have made application for Letters Patent of the United States, said application being identified by Docket No. P5578NONPRO and Client/Matter No. 80168.0126 in the law firm of Hogan & Hartson, L.L.P. Columbia Square, 555 13th Street, N.W., Washington, D.C. 20004-1109, and which is executed concurrently herewith, and

WHEREAS, we now own the entire right, title and interest therein; and

WHEREAS, Sun Microsystems, Inc., hereinafter ASSIGNEE, a Delaware corporation, whose post office address is 901 San Antonio Road, MS PAL01-521, Palo Alto, CA 94303, is desirous of acquiring the entire interest in and to said invention, said application, and the Letters Patent to be obtained therefor;

NOW THEREFORE, upon consideration of our employment and other good and valuable consideration, the adequacy of which is hereby acknowledged, we do hereby sell and assign unto ASSIGNEE and ASSIGNEE's legal representatives, successors, and assigns, the entire right, title, and interest in and to said invention, said application; and the Letters Patent, both of the United States and of other countries, and inventor's certificates, that may or shall issue thereon; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to ASSIGNEE, consistent with the terms of this Assignment.

UPON SAID CONSIDERATION, we do hereby covenant with ASSIGNEE that we will not execute any writing or do any act whatsoever conflicting with this assignment, and that we will, at any time upon request, without further or

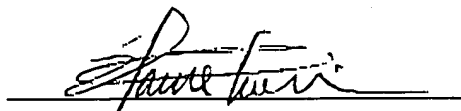
additional consideration, but at the expense of ASSIGNEE, execute such additional assignments and other writings and do such additional acts as ASSIGNEE may deem necessary or desirable to perfect ASSIGNEE's enjoyment of this grant, and render all necessary assistance in applying for and obtaining original, continuation, continuation-in-part, divisional, reexamined, renewal, reissued or extended Letters Patent of the United States, or of other countries, or inventor's certificates, on said invention, and in enforcing any rights or causes in action accruing as a result of such applications, certificates, or patents, by giving testimony in any proceedings or transactions involving such applications, certificates, or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of, the assigns and legal representatives of both parties.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals on the date hereinafter set forth.

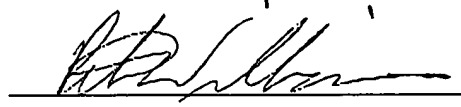
Date: 11/15/2000


Ying XIE

Date: 11/15/00.


Elaine CHIEN

Date: 11/15/00


Peter C. Williams